

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

OLIVIER PELLETIER

Serial No.: 10/615,157

Examiner:

Anderson, Folashade

Filing Date: July 7, 2003

Group Art Unit:

3623

For: DETERMINING A SCENT OR
TASTE PROFILE FOR
PREDICTING A USER ADAPTED
SCENT OR TASTE

DECLARATION OF LAURENT THIBON

1. I, Laurent Thibon, am a registered European Patent Attorney working in Grenoble, France. I have been practicing intellectual property law for 20 years. I am a Partner in the French law firm Cabinet Beaumont in Grenoble, France. As part of my practice, I prepare and prosecute patent applications for my clients.

2. I was involved with the preparation of the European Patent Application No. 02354109.7, filed July 12, 2002, which is the priority application for the above-identified U.S. Patent Application No. 10/615,157.

3. In the course of preparing the priority application, I met with Olivier Pelletier on April 24, 2002 and June 3, 2002. At that time, Mr. Pelletier was an employee of Accenture SAS working in their Sophia Antipolis, France office. Based on my conversation(s) with Mr. Pelleiter, I understood him to be the sole inventor of the subject matter claimed in the U.S. patent application No. 10/615,157.

4. It is my understanding that Mr. Pelletier is no longer employed by Accenture SAS, and left their employment in approximately the second half of 2002. I do not know his current address or contact information.

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5. I have reviewed the Office Action mailed on December 13, 2007 for the '157 application. I have reviewed the Request for Information contained in that Office Action.

6. Based on my recollection of my conversation(s) with Mr. Pelletier when I was preparing the priority European application, I can respond to the Request for Information as follows:

a. It was my understanding that the general technique of X-square fitting, which involves minimizing the sum of quadratic errors over a set of values, was not invented by the inventor. However, the equation of claim 2, which applies such a technique to the values sensed by an array of taste and smell sensors and the ratings provided by a user, is not believed to be known from the prior art, and is believed by me to be the work of the inventor. It was my understanding that the inventor derived the equation from his knowledge of the X-square fitting technique, and the problem at hand. It was my understanding that the equation of claim 5 was derived intuitively by the inventor and is the result of his work. It was my understanding that the equation of claim 7 was derived by the inventor intuitively and is the result of his work.

b. I am not aware of any publications where the inventor is an author or co-author that describes the disclosed subject matter of non-collaborative processing of database information based on elemental make up of the product.

7. I understand that willful false statements and the like are punishable by fine or imprisonment, or both under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon. I declare under penalty of perjury under the laws of the United States of America that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. Executed on

April 3, 2008 (date).
Laurent Thibon (signature)

Laurent Thibon